

IC 5-22 Version a

ARTICLE 22. PUBLIC PURCHASING

Note: This version of IC 5-22 added by P.L.49-1997, SEC.1. IC 5-22, as added by P.L.19-1997, SEC.7, was repealed by P.L.253-1997(ss), SEC.39, and re-enacted at IC 5-24 by P.L.253-1997(ss), SEC.40.

IC 5-22-1

Chapter 1. Application

IC 5-22-1-1

Applicability of article

Sec. 1. Except as provided in this chapter, this article applies to every expenditure of public funds by a governmental body.
As added by P.L.49-1997, SEC.1.

IC 5-22-1-2

Nonapplicability of article

Sec. 2. Except as provided in this article, this article does not apply to the following:

- (1) The commission for higher education.
- (2) A state educational institution. However, IC 5-22-15 applies to a state educational institution.
- (3) Military officers and military and armory boards of the state.
- (4) An entity established by the general assembly as a body corporate and politic. However, IC 5-22-15 applies to a body corporate and politic.
- (5) A local hospital authority under IC 5-1-4.
- (6) A municipally owned utility under IC 8-1-11.1 or IC 8-1.5.
- (7) Hospitals established and operated under IC 16-22-1 through IC 16-22-5, IC 16-22-8, IC 16-23-1, or IC 16-24-1.
- (8) A library board under IC 36-12-3-16(b).
- (9) A local housing authority under IC 36-7-18.
- (10) Tax exempt Indiana nonprofit corporations leasing and operating a city market owned by a political subdivision.
- (11) A person paying for a purchase or lease with funds other than public funds.
- (12) A person that has entered into an agreement with a governmental body under IC 5-23.
- (13) A municipality for the operation of municipal facilities used for the collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste.

As added by P.L.49-1997, SEC.1. Amended by P.L.1-2005, SEC.82; P.L.184-2005, SEC.2.

IC 5-22-1-3

Excluded items; exceptions

Sec. 3. (a) Except as provided in subsection (b), this article does not apply to the following types of activities:

- (1) A contract between governmental bodies except for a contract authorized under this article.
 - (2) A public works project.
 - (3) A collective bargaining agreement between a governmental body and its employees.
 - (4) The employment relationship between a governmental body and an employee of the governmental body.
 - (5) An investment of public funds.
 - (6) A contract between a governmental body and a body corporate and politic.
 - (7) A contract for social services.
 - (8) A contract with a body corporate and politic.
- (b) IC 5-22-3-7 applies to any:
- (1) contract;
 - (2) project;
 - (3) agreement;
 - (4) employment relationship; or
 - (5) investment;

described in subsection (a).

As added by P.L.49-1997, SEC.1. Amended by P.L.165-2005, SEC.1 and P.L.222-2005, SEC.24.